

CHAPTER 97  
COLLECTION SERVICES CENTER

PREAMBLE

The collection services center is the public agency designated by state law for the receipt, recording and disbursement of support payments within the state of Iowa. The administrative guidelines within this chapter describe the process of converting and transferring support cases from the clerks of district court to the collection services center and the policies and procedures used to receive, monitor, and distribute support payments.

**441—97.1(252B) Definitions.** The definitions of terms used in this chapter shall follow those terms defined in rule 441—95.1(252B) with the exception or addition of the following:

*“Collection services center”* shall mean the public agency designated to receive, record, monitor, and disburse all support payments as defined in Iowa Code section 598.1, in accordance with Iowa Code section 252B.13.

*“Insufficient funds payment”* shall mean a support payment by check or other financial instrument which is dishonored, not paid, or the funding of the payment is determined to be inadequate.

*“Payee”* shall mean the obligee, guardian, custodial parent, or person entitled to receive support payments according to a support order or judgment as defined in Iowa Code section 598.1.

*“Payor”* shall mean the obligated parent, relative, or any other designated person declared to be legally liable for the support of a child or the custodial parent or guardian of the child.

*“Support payment”* shall mean a monetary payment received by the collection services center for support obligations which meet the definition of support as defined in Iowa Code section 598.1.

**441—97.2(252B) Support payment records.**

**97.2(1)** The collection services center shall establish and maintain support payment records based on information transferred from the clerk of district court for all temporary, voluntary or permanent orders, or judgments of support established under Iowa Code chapter 234, 252A, 252C, 598, or 600B, which are entered or modified on or after April 1, 1987. The collection services center shall also establish and maintain support payment records for said support orders which were entered or modified prior to April 1, 1987, which are converted from the clerk of district court to the collection services center.

**97.2(2)** The content of the transfer of case information from the clerk of district court to the collection services center shall include the following:

- a. The name and last known mailing address of the payee and, if different in whole or part, the names of the persons to whom the obligation of support is owed by the payor.
- b. The name, birth date, social security number, and last known mailing address of the payor.
- c. The amount of the periodic support payment, the due dates of the payments, and any support arrearages which have accrued.
- d. The beginning date for sending payments to the collection services center.
- e. The names and dates of birth of any minor dependents for whom support is ordered.
- f. The criteria for termination of support payments to the minor dependents.
- g. Any circumstances which would alter the regularity of support payments.

*h.* The conditions and provisions of property settlements or payments to be performed for purposes other than support.

*i.* A record of any support payments received by the clerk of district court prior to the transfer of case information and any payments received by the collection services center.

*j.* A reference to any other support order against the payor.

*k.* A record of support assignments to the department, the termination of support assignments, and their effective dates.

**97.2(3)** The collection services center shall provide an informal conference or desk review regarding the contents of the support payment record to the parties of the action in a support order or their legal representative. This conference shall be available, upon request, to review the payment record and to answer questions of the payee or payor regarding the accuracy of the record.

**97.2(4)** The collection services center shall file a partial or full satisfaction of judgment, as appropriate, with the clerk of district court upon the partial or full satisfaction of an assigned support arrearage as defined in 441—subrule 41.2(7).

**97.2(5)** Copies of the support payment record shall be made available, upon request, as a public record. The collection services center shall provide a certified copy of the support payment record to the clerk of district court as the official record of unpaid support for the purpose of issuance of an execution.

**97.2(6)** Support payment records shall be certified upon request, with a certification statement and signature of a designated employee.

#### **441—97.3(252B) Support payments.**

**97.3(1)** The collection services center shall provide each payor with periodic payment coupons showing the amount and due date of each support payment, the address to which payments shall be sent, and other case identification for the processing of payments. Support payment coupons and return envelopes shall be provided to the payor within 15 days following the completion of the transfer of case information described in subrule 97.2(2) or within 15 days following conversion of payment functions described in Iowa Code section 252B.16 and shall be resupplied to the payor on an annual or semiannual basis depending upon the frequency of the payments. A payment coupon shall accompany each support payment to designate to which support account the payment shall be applied unless support payments are paid by preauthorized withdrawal of funds from the bank account of the payor, by electronic transfer of funds, or by direct withholding from the wages or other income of the payor according to Iowa Code chapter 252D.

**97.3(2)** Support payments may be paid in the form of cash, check, bank draft, money order, preauthorized withdrawal of funds, or other financial instrument, and sent by regular mail to the collection services center, or by the electronic transfer of funds.

A payor submitting an insufficient funds support payment to the collection services center shall be required to submit payments by bank draft or money order for a period of up to 12 months unless waived by the collection services center. Insufficient funds payments shall not be credited to the collection services center account for the payor or shall be removed from the account if credited before sufficiency was verified. Insufficient funds support payments shall be subject to additional collection by the collection services center for the dishonored amount.

**97.3(3)** The collection services center shall receive, record, monitor, and disburse support payments for payees receiving child support enforcement services (IV-D cases) and for payees not receiving child support enforcement services (non-IV-D cases).

*a.* Support payments received by the collection services center on all cases shall first be applied as payment of the current obligation for the month in which the support payment was received by the collection services center. Support payments received in a month which exceed the support obligation for that month shall be applied to the support arrearage from prior months beginning with the most recent arrearage, until the entire support payment has been applied.

*b.* Support payments received by the collection services center on public assistance cases shall be applied according to rule 441—95.3(252B) and 441—subrules 95.6(7) and 95.7(9).

*c.* Support payments received by the collection services center on nonpublic assistance cases shall be applied according to rules 441—96.5(252B) and 441—96.9(252B) in addition to paragraph “a” above.

*d.* Support payments received by the collection services center which are not directed to a specific account or support obligation shall first be applied proportionately to the current support obligations on all of the accounts of the payor within the collection services center and, secondly, to the support arrearages owed by the payor.

**97.3(4)** The collection services center shall authorize the transmittal of support payments to the payee, without waiting for verification of the sufficiency of the payment from a payor who has not previously, within a 12-month period, tendered an insufficient funds support payment.

*a.* Transmittal of support payments to the payee shall be in the form of a state warrant, sent by regular mail to the last known address of the payee or by electronic transfer of funds to the designated account of the payee. Payees who want electronic transfer of support payments shall complete Form 470-0261, Agreement for Automatic Deposit, and submit it to the collection services center. Support payments shall not be hand-delivered to the payee on a walk-in basis.

*b.* The payee may change the address to which support payments are mailed by sending a request for address change to the collection services center, which is signed by the payee. The address of payment may also be changed by the collection services center upon receipt of an address correction from the post office.

*c.* The transmittal of support payments to the payee shall be authorized within the following time periods:

(1) Within one working day when payment to the payee is based on a personal check from a payor who has not previously tendered an insufficient funds payment to the collection services center within a 12-month period.

(2) Within one working day when payment to the payee is based on a payment from a payor who has previously tendered an insufficient funds payment to the collection services center within a 12-month period but who submits payment by bank draft, money order, or other financial instrument whose sufficiency is certain.

(3) Within ten working days when payment to the payee is based on a payment from a payor, who has previously tendered an insufficient funds payment to the collection services center within a 12-month period, but who submits payment by personal check, or other financial instrument, whose sufficiency must be verified.

**97.3(5)** Support payments to payees which are unclaimed, or which are returned by the post office as undeliverable, or for which a mailing address is unknown, shall be held in escrow by the collection services center for a period of up to two years or until the correct mailing address of the payee can be obtained, whichever occurs first. Support payments held in escrow beyond two years shall be considered abandoned and shall be disposed of according to Iowa Code section 556.8.

**441—97.4(252B) Conversion of records and payments.** The collection services center shall notify the payor and the payee in support orders entered on or before March 31, 1987, of the date support payments shall be directed to the collection services center. Notification shall be in accordance with Iowa Code subsections 252B.16(2) and 252B.16(3). Form 470-2234 or 470-2235, Notice of Direction of Payments, shall be sent by ordinary mail to the last known address of the payee and the last known address of the payor, respectively, at least 15 calendar days before payments must be directed to the collection services center.

These rules are intended to implement Iowa Code sections 252B.13 to 252B.17.

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